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SMART & BIGGAR*Intellectual Property & Technology Law*

To Fax no.: (703) 872-9306

Page 1 of: 5

Attention: Group Art 2684
(Examiner Kevin Kim)

From: Mr. James McGraw

P.O. Box 2999, Station D
55 Metcalfe Street, Suite 900
Ottawa, Canada K1P 5Y6

Tel.: (613) 232-2486

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Your file no.: 09/702,768

Date: December 20, 2004

Reply to Ottawa file no.: 77682-247

Time:

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James McGraw (Reg. No. 28,168)

Signature 

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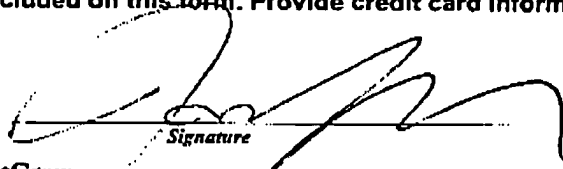
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AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. 77682-247 /aba	
Applicant(s): XIXIAN CHEN, ET AL						
Application No. 09/702,768	Filing Date November 1, 2000	Examiner Kevin Kim	Customer No. 07380	Group Art Unit 2634	Confirmation No. 9403	
Invention: TIME DIVERSITY SEARCHER AND SCHEDULING METHOD						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	40 -	41 =	0 x	\$50.00	\$0.00	
INDEP. CLAIMS	4 -	4 =	0 x	\$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 19-2550 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.						
 _____ Signature			Dated: December 20, 2004			
James McGraw Registration No. 28,168 CUSTOMER NO. 07380			<div style="border: 1px solid black; padding: 5px;"> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence </div>			
CC:						

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/702,768
Applicant : XIXIAN CHEN
Filed : 11/01/2000
TC/A.U. : 2634
Examiner : KIM, KEVIN

Confirmation No. 9403

Docket No. : 77682-247
Customer No. : 07380

Commissioner for Patents
Alexandria, VA 22313-1450
U.S.A.

Dear Sir:

In response to the Office Action of September 21, 2004, please amend this application as follows:

Remarks/Arguments begin on page 2 of this paper.